

EXHIBIT A



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Ex Parte Reexamination Filing Data - June 30, 2010

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	10782 ¹
a. By patent owner	3680 34%
b. By other member of public	6937 64%
c. By order of Commissioner	165 2%
2. Number of filings by discipline	
a. Chemical Operation	3019 28%
b. Electrical Operation	3895 36%
c. Mechanical Operation	3697 34%
d. Design Patents	171 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No.	
1981 78 (3 mos.) 1989 243 1997 376 2005 524	
1982 187 1990 297 1998 350 2006 511	
1983 186 1991 307 1999 385 2007 643	
1984 189 1992 392 2000 318 2008 680	
1985 230 1993 359 2001 296 2009 658	
1986 232 1994 379 2002 272 2010YTD 539	
1987 240 1995 392 2003 392	
1988 268 1996 418 2004 441	
4. Number known to be in litigation.....	3443.....32%
5. Decisions on requests.....	10296
a. No. granted.....	9467.....92%
(1) By examiner	9353
(2) By Director (on petition)	114
b. No. denied	829.....8%
(1) By examiner	793
(2) Reexam vacated	35

¹Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 55 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	907		
a.	Patent owner requester	451	50%	
b.	Third party requester	456	50%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.4 (mos.)		
b.	Median pendency	20.0 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	25%	12%
b.	All claims cancelled	8%	13%	23%
c.	Claims changes	70%	62%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)	7586		
a.	Certificates with all claims confirmed	1786	23%	
b.	Certificates with all claims canceled	877	12%	
c.	Certificates with claims changes	4923	65%	
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER	2910		
	(1) All claims confirmed	634	22%	
	(2) All claims canceled	250	8%	
	(3) Claim changes	2026	70%	
b.	Certificates – 3 rd PARTY REQUESTER	4524		
	(1) All claims confirmed	1134	25%	
	(2) All claims canceled	592	13%	
	(3) Claim changes	2798	62%	
c.	Certificates – COMMISSIONER INITIATED REEXAM	152		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	35	23%	
	(3) Claim changes	99	65%	